

1 SHAUN SETAREH, SBN 204514
2 LAW OFFICES OF SHAUN SETAREH, APC
3 1055 Wilshire Boulevard, Suite 1940
4 Los Angeles, California 90017
5 Telephone: 213-250-9300
6 Fax: 213-250-9333
7 e-mail: setarehlaw@sbcglobal.net

8 Attorneys for Plaintiffs

9 GEORGE R. KINGSLEY, SBN-38022
10 ERIC B. KINGSLEY, SBN-185123
11 KINGSLEY KINGSLEY
12 City National Bank Building
13 16133 Ventura Blvd. Suite 1200
14 Encino, California 91436
15 Telephone: 818-990-8300
16 Facsimile: 818-990-2903

17 Attorneys for Plaintiffs

18 Anthony J. Rao (SBN 173512)
19 RAO ONGARO LLP
20 40 Wall Street, 28th Floor
21 New York, New York 10005
22 Telephone: (646) 512-5648
23 Facsimile: (646) 512-5666

24 Attorneys for Defendant,

25 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
26 **COUNTY OF ALAMEDA - CENTRAL DISTRICT**

27 TIM O'NEILL, an individual; on behalf of
28 himself and all others similarly situated;

Plaintiffs,

vs.

GENESIS LOGISTICS, INC. and DOES 1
through 10 inclusive,
Defendants.

Case No: CV08-4107 SI

**STIPULATION AND PROPOSED
ORDER TO CONTINUE THE JUNE
26TH, 2009 CASE MANAGEMENT
CONFERENCE**

Judge: Honorable Judge Susan Illston
Ctmm: 10, 19th floor

///

1 **WHEREAS**, on January 10, 2009 the Court found good cause, approved the parties'
2 stipulation, and ordered that Plaintiff's remand hearing set for January 23, 2009 at 9:00 a.m. is
3 deemed withdrawn so the parties can engage in limited Rule 26 discovery and participate in an
4 early mediation. (See Docket No. 19);

5 **WHEREAS**, pursuant to the parties' stipulation, and Court's Order the Case Management
6 Conference was continued to June 26, 2009, at 2:30 p.m.

7 **WHEREAS**, the parties have engaged in a rule 26 Conference and have discussed the
8 scope of pre-mediation discovery in this putative class action.

9 **WHEREAS**, the parties are gathering relevant documents to disclose and analyze before
10 conducting Plaintiff's deposition that will take place within the next forty-five days.

11 **WHEREAS**, the parties have retained Jeff Krivis an experienced wage and hour attorney
12 to mediate the class action on September 22, 2009.

13 **WHEREAS**, Plaintiff's counsel, Shaun Setareh and George Kingsley will both be
14 engaged in trial in the Los Angeles Superior Court on June 23rd, and 25th respectively; and will
15 be unavailable to appear for the June 26th Case Management Conference.

16 **IT IS HEREBY STIPULATED:**

17 The June 26, 2009 Case Management Conference is continued until after the parties
18 engage in early mediation to a date after September 22, 2009.

19 In the alternative, the Case Management Conference is continued to _____.

20 **Dated:** June 15, 2009

LAW OFFICE OF SHAUN SETAREH

21 By: 

Shaun Setareh (SBN 204514)
Attorneys for Plaintiff Tim O'Neill,
and all others similarly situated

22 **Dated:** June 15, 2009

23 RAO ONGARO LLP

24 By: 

25 Anthony J. Rao (SBN 173512)
26 Attorneys for Defendant, Genesis
27 Logistics, Inc.
28

**STIPULATION AND PROPOSED ORDER TO CONTINUE THE JUNE 26TH, 2009 CASE
MANAGEMENT CONFERENCE**

25

FOR GOOD CAUSE, THIS STIPULATION IS APPROVED.

THE COURT continues the Case Management Conference to September 30, 2009 @

2:30 p.m. / or _____.

DATED: _____



Honorable Susan Illston